APPENDIX B

NEW YORK CITY OFFICE OF THE MAYOR
NATIONAL GRID BROOKLYN-QUEENS INTERCONNECT
NEGATIVE DECLARATION

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, NY 10007

NEGATIVE DECLARATION

CEQR Number: 12OOM001K **Date Issued:** December 2, 2011

NAME: National Grid Brooklyn-Queens Interconnect

LOCATION: Hendrickson Street, Hendrickson Place and Flatbush Avenue from Avenue U in Brooklyn, along areas adjacent to the Marine Parkway-Gil Hodges Memorial Bridge, under the Rockaway Inlet, and on the Rockaway Peninsula to Beach 169th Street in Queens.

SEQR CLASSIFICATION: Type I pursuant to 6 NYCRR Part 617.4(b)(9)

LEAD AGENCY: New York City Office of the Mayor

LEAD AGENCY CONTACT: Robert R. Kulikowski, Ph.D.
Assistant to the Mayor
253 Broadway, 14th Floor
New York, New York 10007
Phone: (212) 788-2937

DESCRIPTION:

To reinforce its natural gas transmission and distribution systems and to provide for projected increases in energy demand, National Grid proposes to install new natural gas pipelines in the Boroughs of Brooklyn and Queens. The installation would proceed in two phases. Phase I would be the installation of two pipelines (a 12-inch and a 26-inch line) beneath Flatbush Avenue from a point in the vicinity of the southernmost airplane hangar at Floyd Bennett Field in Brooklyn, south under the Rockaway Inlet, to Beach 169th Street on the Rockaway Peninsula in Queens. These two pipelines would be connected to existing 8-inch distribution pipelines operating at the typical natural gas distribution pressure used in households on both the Brooklyn and Queens sides of the Rockaway Inlet and would deliver natural gas from Brooklyn to the Rockaway Peninsula as distribution pipelines. In Phase II, one 30-inch pipeline would be installed beneath Hendrickson Street from Avenue U south to Hendrickson Place, east under Hendrickson

Place to Flatbush Avenue, and then south to the point in the vicinity of the southernmost airplane hangar at Floyd Bennett Field at the terminus of Phase I, as described above. Prior to the completion of the Phase II pipeline, and at the request of National Grid, The Williams Company Transco pipeline subsidiary (Williams' Transco) would bring a new 26-inch transmission pipeline branch from the existing offshore Lower New York Bay Extension pipeline to the Rockaway Peninsula (the "Williams' Transco Project") and construct a metering and regulator (M & R) station (also known as a custody transfer station) within Floyd Bennett Field. The Williams' Transco Project is undergoing a Federal Energy Regulatory Commission (FERC) environmental review as part of obtaining a Certificate of Public Convenience and Necessity. When the National Grid Phase II pipeline is installed, the Phase I 26-inch pipeline would be disconnected from the existing 8-inch distribution lines and connected to the Phase II 30-inch pipeline at the Williams' Transco M&R station in Floyd Bennett Field. The southern end of the Phase I 26-inch pipeline would be connected to the new Williams' Transco 26-inch pipeline. The Phase I 26-inch pipeline would then operate at normal transmission pressure and serve as a new transmission line to bring natural gas north into New York City. The total length of the proposed National Grid project is approximately 20,300 feet.

The National Grid project is considered to be non-jurisdictional by FERC and environmental review of the National Grid project cannot be conducted by FERC. Therefore, the separate environmental review of the National Grid project is being conducted under City Environmental Quality Review (CEQR). The Williams' Transco Project is subject to a separate full environmental review by FERC, including a public comment period pursuant to the National Environmental Policy Act (NEPA). The potential for overlapping and cumulative impacts are assessed in the EAS. Pursuant to the State Environmental Quality Review Act (SEQRA), two separate environmental reviews are warranted under the circumstances and are allowed under SEQRA, CEQR, and NEPA.

In addition to state and federal approvals, the following discretionary approvals are needed for the proposed National Grid project:

OFFICE OF THE MAYOR

Pursuant to Section 553(14) of the New York State Public Authorities Law, the lease agreement between the Triborough Bridge and Tunnel Authority, popularly known as MTA Bridges and Tunnels (MTA B&T), and National Grid is subject to approval by the Office of the Mayor.

NEW YORK CITY DEPARTMENT OF CITY PLANNING

A portion of the proposed pipeline route is located within New York City's coastal zone boundary. Therefore, New York City Department of City Planning will review the project for consistency with the City's Waterfront Revitalization Program policies.

NEW YORK CITY DEPARTMENT OF TRANSPORTATION

The upland portions of the project would be located within the right-of-way (ROW) of Flatbush Avenue, Hendrickson Street, and Hendrickson Place. National Grid is required to obtain road opening permits from the New York City Department of Transportation (NYCDOT) to allow selective cuts in these streets. If any of the work proposed by

National Grid to install pipelines under inalienable New York City property is not authorized under an existing franchise agreement with the City of New York, National Grid will need to petition the City of New York for a revocable consent for installation, operation, and maintenance that portion of the pipeline.

A portion of the Belt Parkway west of Flatbush Avenue is currently mapped as Marine Park, under the jurisdiction of New York City Department of Parks and Recreation (NYCDPR) and maintained by NYCDOT. A revocable consent would be required for the long-term maintenance and operation of the portion of the pipeline passing through Marine Park and under the Belt Parkway. NYCDOT would lead review of a petition for the revocable consent, to be issued either by NYCDOT alone or jointly by NYCDPR and NYCDOT.

NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION

Although NYCDOT maintains the Belt Parkway, the land is owned by NYCDPR. A revocable consent will be required for the horizontal directional drilling (HDD) and long-term maintenance and operation of the pipeline within Marine Park as well as a permit for tree removal in the temporary work area within Marine Park.

NEW YORK LANDMARKS PRESERVATION COMMISSION

Floyd Bennett Field, a designated Historic District on the New York State and National Register of Historic Places (S/NR), is adjacent to the project site. Marine Parkway Bridge (now the Marine Parkway-Gil Hodges Memorial Bridge) has been determined eligible for listing on the S/NR and is adjacent to the Phase I underwater portion of the pipeline and to upland portions of the pipelines on MTA B&T property on the Rockaway Peninsula and in Brooklyn. In addition, sites sensitive for archaeological resources are located nearby. For these reasons, the analysis of potential impacts to historic and archaeological resources has been submitted to the New York City Landmarks Preservation Commission (NYCLPC) for review and concurrence.

MTA BRIDGES AND TUNNELS

The proposed pipelines would be located within a designated cable crossing area within property adjacent to the Marine Parkway-Gil Hodges Memorial Bridge, irrevocably assigned and conveyed by the City of New York to MTA B&T. A lease agreement with MTA B&T must be obtained for the project to have the necessary property rights for the long term operation of the pipelines. The lease agreement is subject to approval by the MTA B&T Board.

STATEMENT OF NO SIGNIFICANT EFFECT:

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the New York City Office of the Mayor assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in the Environmental Assessment Statement (EAS) dated December 2, 2011, the Office of the Mayor has determined that the installation of three natural gas pipelines, as proposed,

would not have any potentially significant adverse effects on the quality of the environment.

SUPPORTING STATEMENTS:

The above determination is based on the EAS dated December 2, 2011, which finds that the project, as proposed, would not result in significant effects on the environment that would require the preparation of an Environmental Impact Statement (EIS). The EAS demonstrates that there is no potential significant adverse impacts on land use and public policy, historic resources, natural resources, hazardous materials, coastal zone management, construction, or public health and safety that would occur as a result of the proposed project, and no other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable.

The construction manager for the proposed project, in conjunction with the New York City Department of Environmental Protection, New York City Department of Transportation, New York City Department of Parks and Recreation, and MTA Bridges and Tunnels will ensure that all commitments within the EAS, upon which the Negative Declaration is based, are understood and implemented.

The above determination is based on a review of the EAS, which is incorporated by reference herein and which demonstrates:

1. Land Use

The proposed project would have the potential to temporarily affect land use during its construction, which would include the temporary opening of trenches across public roadways and driveways as well as within a small portion of Marine Park near the Belt Parkway/Flatbush Avenue interchange and within a small portion of land at the southern end of the Marine Parkway–Gil Hodges Memorial Bridge on the Rockaway Peninsula. However, by using all applicable practices and methods outlined in National Grid's Environmental Guidance—specifically, the Natural Resources Protection guidance related to work within protected waters, ROW access, maintenance, and construction Best Management Practices—significant adverse impacts would be avoided. Walkways, road shoulders, and travel lanes may be closed for short intervals in the immediate area of pipe-laying operations. Construction-related impacts such as noise, dust, disturbance of traffic, and temporary disruption to manmade features (e.g., sidewalks, guardrails, curbs, utilities, etc.) would occur within the Flatbush Avenue ROW where the proposed pipeline would be buried and within temporary staging areas located within the Flatbush Avenue ROW and MTA B&T property on the Rockaway Peninsula.

National Grid or its contractors would perform cleanup and final restoration in accordance with its existing environmental guidance documents, as well as the requirements and conditions of project permits. Backfilling of trenches, soil stabilization, and surface restoration would immediately follow pipeline installation. All cleared areas would be re-graded to pre-construction grade.

A buried pipeline route that follows existing ROWs and is within MTA B&T property eliminates the potential for impacts to surrounding land uses as well as the need to alter or otherwise disturb existing land uses. Although development of the MTA B&T property would be restricted in areas above the pipelines, no development in these areas

is projected for the build year absent the proposed action. Thus, no significant adverse impacts to land uses present along the route are anticipated. Additionally, provisions will be included in the lease between MTA B&T and National Grid allocating to National Grid responsibility for increased costs of construction at the Marine Parkway-Gil Hodges Memorial Bridge facility that result from the presence of the pipelines. There would be no impacts to land uses adjacent to the pipeline corridor or within the small portion of Marine Park near the Belt Parkway/Flatbush Avenue interchange or the small portion of land south of the bridge except during the brief period of construction. Construction would be conducted in such a manner as to preserve access to abutting land uses. All driveways would be plated during construction and access to all properties would be made available. Property owners would be notified prior to construction commencement. Temporary interference with access to properties would be minimized through adherence to the terms of NYCDOT and MTA B&T permits.

Once completed, the pipelines would be underground and would not be visible or audible. Operation of the proposed pipelines would not generate any air or water pollutants, odors, traffic, or disturbance to visual resources. Accordingly, there would be no potentially significant adverse impacts to utilization of adjacent land for future use, and the project would have no potentially significant impacts on land uses within the study area.

With the implementation of the program described above and adherence to the construction practices the project would not result in significant adverse impacts to land uses.

2. Public Policy

The proposed project is consistent with the Jamaica Bay Watershed Protection Plan as well as the City's local Waterfront Revitalization Program. With regard to public policies that pertain to greenways and bikeways in the project vicinity, because the proposed project would be constructed below ground and would not impact these resources, the proposed project would be consistent with these public policies. However, the bikeway in the vicinity of the HDD entry location on the Rockaway Peninsula would be closed for four months during the winter during construction of Phase I. This short-term closure is not considered to be significant. The proposed project is consistent with the 2009 New York State Energy Plan by utilizing an existing utility ROW in Flatbush Avenue and a Coast Guard-designated cable crossing under Rockaway Inlet. Moreover, the proposed project is consistent with and would advance the goals of PlaNYC to make energy systems more reliable, facilitate appropriately sited natural gas transmission lines, reduce residual fuel usage, and improve air quality.

3. Historic Resources: Architectural

Two identified architectural resources, the S/NR-listed Floyd Bennett Field Historic District and the S/NR-eligible Marine Parkway-Gil Hodges Memorial Bridge, are located within the project's 90-foot study area. The proposed project would not, however, physically impact any portion of the S/NR-listed Floyd Bennett Field Historic District, nor would construction of the underground utility lines introduce any permanent visible features into the setting of this resource. The Williams' Transco Project would place the M&R station within one of the historic hangers on Floyd Bennett Field. That action is

being reviewed by the FERC under NEPA and the National Historic Preservation Act. Within the street bed of Flatbush Avenue, the National Grid project would connect to an inlet and an outlet from the M&R station. The National Grid project would not affect or intrude upon the historic hanger.

The Phase I route would be parallel to the S/NR-eligible Marine Parkway-Gil Hodges Memorial Bridge for the portions of the pipelines under the Rockaway Inlet and within upland areas on the Rockaway Peninsula and in Brooklyn that were irrevocably assigned and conveyed by the City of New York to MTA B&T. The two pipelines would be installed west of the bridge roadway centerline within a designated cable crossing area and below the mud line using HDD. The drill exit would be located north of the toll plaza, in a previously disturbed area; from the drill exit area north, conventional trenching would be used to install the pipelines. HDD, drill exit, and conventional trenching are not anticipated to physically impact any portion of the bridge. Furthermore, construction of the pipelines would not introduce any permanent visible features into the bridge's setting and therefore would not adversely impact the bridge's setting. Finally, a risk assessment has been prepared that demonstrates, based on the implementation of specific protective measures, that the risks to the Marine Parkway-Gil Hodges Memorial Bridge from the proposed pipelines would be minimal. National Grid will be obligated to implement those risk mitigation measures under its lease with MTA B&T and under the terms of a construction permit issued by MTA B&T. With these measures in place, the project would have no significant adverse impacts on architectural resources.

4. Historic Resources: Archaeological

The Stage 1A Archaeological Documentary Study identified an area of potential historic archaeological sensitivity in the vicinity of the former Barren Island, which is now incorporated into the landfill that makes up Floyd Bennett Field. The Stage 1A determined that archaeological resources dating to the precontact period may be deeply buried below the landfill at depths of 10 feet or more. However, as the cut and cover (trenching) activities are not expected to impact depths greater than 6 feet below ground surface, the Stage 1A concluded that there was a low potential that the proposed project as it was then proposed would impact levels with precontact period sensitivity.

For the HDD, two boreholes would have approximate diameters of 18 and 39-inches, respectively (about 1½ times the diameters of the pipelines). As a result, archaeological resources in the sensitive areas could be disturbed. Although the design drawings show exactly where the lines would be horizontally and vertically, the exact intersection with the sensitive areas cannot be predicted with precision for two reasons. First, because of the great depth of fill covering the potential archaeological resources in the historic location of Barren Island and the unknown extent to which the area was disturbed in the 19th and 20th centuries, it is unclear exactly where the historic ground surface would be impacted by the HDD. Soil borings suggest that the historic period ground surface may have been situated approximately 12 to 16 feet below the current grade. Second, variations in location from the design drawings can be expected with the HDD technique. Boulders, difference in the resistance of the soil to drilling, and other obstacles could cause the HDD to deviate vertically or horizontally to avoid the obstacles.

Because of the depth of the sensitive area and the uncertainty about the location of both the historic ground surface and the area where the HDD would impact potentially sensitive levels, additional Stage 1B testing in the form of direct exposure and examination of the sensitive depths is not practical. The amount of excavation required (both horizontal and vertical) to investigate such resources in a safe and appropriate manner would be significantly larger than the area of impact, potentially resulting in unnecessary disturbance to archaeological resources outside the location of impacts associated with the proposed project.

In consultation with NYCLPC and the New York State Historic Preservation Office (NYSHPO), an alternate plan to investigate the archaeologically sensitive areas identified in the Stage 1A study has been developed. While not a replacement for Phase 1B testing, the soil borings that have already been completed in the vicinity of former Barren Island contribute to our understanding of the buried ground surfaces in the area. In order to add to this knowledge of the subsurface conditions in the archaeologically sensitive portion of the project site, a monitoring program will be implemented in the event that excavation below the depth of fill becomes necessary during the course of the project. An Archaeological Monitoring Plan was prepared and submitted to NYCLPC and NYSHPO for review and comment in October 2011. In a comment letter dated November 3, 2011, NYCLPC concurred with the implementation of the monitoring plan in the event that excavation to the depth of archaeological sensitivity becomes necessary. NYSHPO is currently reviewing the Archaeological Monitoring Plan, and its recommendation would be incorporated and implemented.

Therefore, in consultation with NYSHPO and NYCLPC and with the Archaeological Monitoring Plan incorporated into the proposed project, if necessary, the proposed project would not have a significant adverse impact on archaeological resources.

5. Natural Resources

The terrestrial activities of the proposed project would include trenching within a busy roadway and the establishment of directional drilling staging sites in areas containing heavily disturbed habitat adjacent to access roads for the Belt Parkway and Marine Parkway–Gil Hodges Memorial Bridge. All project-related disturbances would occur within MTA B&T property for the Marine Parkway–Gil Hodges Memorial Bridge on Rockaway Peninsula and the Flatbush Avenue, Hendrickson Street and Hendrickson Place ROW as well as within a small portion of Marine Park at the Belt Parkway/Flatbush Avenue interchange. All 97 trees found within 20 feet of proposed trenching and staging locations—and thus vulnerable to root damage or requiring removal—have been inventoried and measured. It was determined that four eastern red cedars, one sweet gum, and one white ash, all 9 inches diameter at breast height (DBH) or less, would be removed within Zone 2 as part of the staging area. Three black cherry trees, 7 inches DBH or less, would be removed within Zone 3 as part of the staging area. A Tree Protection and Replacement Plan would be prepared and submitted by National Grid to NYCDPR for approval. Trees removed or damaged on MTA B&T property would be restored or replaced by National Grid in accordance with the MTA B&T construction permit. The plan would be designed and implemented in accordance with Local Law 3 of 2010 to prevent damage to nearby trees and to replace trees that would be lost to the project. Replacement of the nine trees that would be lost during construction

would be on a basal diameter basis, and not on a one-to-one basis. The protection part of the plan would prevent or minimize damage to the remaining 88 trees within 20 feet of work activity, which are not being removed and replaced. If a tree is accidently damaged during construction, it would either be replaced if too badly damaged to survive, or repaired and its health monitored. Other terrestrial measures would be taken to (1) prevent runoff of excavated material into terrestrial natural areas, wetlands, and waterways; (2) prevent the passage of wildlife into the construction area by means of silt fencing; and (3) ensure restoration of any open space or parkland disturbed as a result of the proposed project.

Due to the depths of the directional drilling, there would be no significant adverse impacts to aquatic habitat or aquatic organisms, including transient marine turtles or northern diamondback terrapins. The 12- inch and 26-inch pipelines would be installed well below the mud line or channel bottom of Rockaway Inlet and well below Mean Lower Low Water elevation.

No wetlands would be disturbed as a result of construction or normal operation of the proposed project. Four Sparrow Marsh would not be affected by the proposed project as the installation of the 30-inch pipeline in Phase II would occur on the west side of Flatbush Avenue while Four Sparrow Marsh is located on the east side, a distance of about 600 feet between the construction and Four Sparrow Marsh. Implementation of the Stormwater Pollution Prevention Plan (SWPPP) would prevent sediment from entering Four Sparrow Marsh and the surrounding waterways. Because the proposed project crosses under navigable water, the project is under the jurisdiction of the United States Army Corps of Engineers (USACE). The USACE had authorized the project under Nationwide Permit 12, which authorizes "activities required for construction, maintenance, repair, and removal of utility lines and associated facilities in water of the United States, provided that the activity does not result in the loss of greater than ½ acre of waters of the United States." That permit for the proposed project has expired, and USACE is currently reauthorizing the project under the same Nationwide Permit 12. Additionally, New York State Department of Environmental Conservation has issued a Section 401 water quality certification as part of the Nationwide Permit 12 with the USACE.

Pipeline construction would involve heavy equipment, which can be noisy and create a disturbance to wildlife. However, construction activities would take place in an area that already experiences high levels of disturbance due to heavy traffic volume and other human activities. The wildlife species occurring in the project site are primarily urban-adapted, disturbance-tolerant species that are unlikely to be adversely affected by the added construction noise. Further, ample habitat is available in close proximity to the project site, to which wildlife could easily disperse.

Several rare, special concern, threatened, and endangered species were noted to occur near the project site, primarily in the Jamaica Bay Wildlife Refuge, including a peregrine falcon nest in the south tower of the lift span of the Marine Parkway-Gil Hodges Memorial Bridge. However, for State and federally listed wildlife, no critical habitat areas for these species would be disturbed, and foraging activities could occur unimpeded. While no State or federally listed plant species were observed within the proposed pipeline route, there are at least two areas (a scrub-shrub/grassland area and the

shoreline south of Rockaway) that may contain suitable habitat for listed plant species (i.e., retrorse and Schweinitz's flatsedges, seabeach knotweed). None of the listed plant species were identified during spring, autumn or winter field observations at the project site. In spite of the timing of the field observations occurring during the inactive period for most of the listed species, it is highly unlikely that populations of these species would be present in any of the areas that would be disturbed during construction. However, a preconstruction site inspection would be conducted prior to installation of the proposed pipelines, particularly directed towards identifying the presence of any flora or fauna of concern (including listed plant species, dispersing reptiles or amphibians and bridge-nesting Peregrine falcons) and determining the need for the placement of structures to discourage the movement of wildlife into areas of construction disturbance. Where necessary, protective, silt fencing would be placed along the shoreline to prevent any wildlife from entering the construction site.

With the measures described above incorporated into the proposed project, there would be no significant adverse impacts to aquatic or terrestrial natural resources in the area.

6. Hazardous Materials

While the limited Phase I Environmental Site Assessment (ESA) did not identify the potential for widespread contamination of the soil or the groundwater at the study area, localized pockets of contamination were identified by the ESA, and there is a potential for undocumented/unforeseen contamination to exist in other areas within the study area. A Phase II soil characterization sampling and testing program would be undertaken to further characterize the soils that would be encountered during construction. The soil characterization program would target those areas identified in the Phase I EAS as having previous spills or industries that used hazardous materials, such as dry cleaners. Tests for hazardous materials commonly found in urban soils, such as metals and semivolatile organic compounds, would be specified as well as chemicals of public health concern, such as polychlorinated biphenyls. The soil characterization protocol would be submitted to the New York City Department of Environmental Protection (NYCDEP) for review and approval prior to conducting the Phase II sampling and testing.

The potential for adverse impacts due to the presence of subsurface contamination would be avoided by ensuring that construction activities are performed in accordance with site-specific health and safety plans and, if necessary, remedial plans based on characterization of the project area.

With the incorporation of these measures into the proposed project, no significant adverse impacts related to hazardous materials would result from construction activities.

7. Coastal Zone

Some of the area surrounding the proposed project is federal parkland and not subject to the New York State Coastal Zone Management Program. However, the MTA B&T property and the pipeline route north of the Belt Parkway are subject to the New York State Coastal Zone Management Program. The proposed project is subject to the City's Waterfront Revitalization Program and would be consistent with all of its policies. Several of the policies were further analyzed, as described below.

The portion of the project site located within the Jamaica Bay Special Natural Waterfront Area would be wholly located within previously disturbed landscaped areas and beneath paved roadways, as well as below the seabed in areas adjacent to the MTA B&T's Marine Parkway-Gil Hodges Memorial Bridge. The proposed pipelines would be installed at least 20 feet beneath the seabed of Rockaway Inlet via HDD. Therefore, the quality and function of the wetlands, waters, and estuarine environment—including fish, wildlife species and other living aquatic resources—of the inlet and Jamaica Bay would not be affected. The drill entry and exit pits would also be located outside of tidal wetlands jurisdiction, and no equipment and materials would be placed or operated within the wetlands and littoral zone.

The pipelines would be located within the 100- and 500-year floodplains, but would be designed for flooding conditions and could be submerged without harm.

The proposed project would not generate hazardous waste or toxic materials during project operations. During construction, all suitable soils would be placed back in the trench. Unsuitable soils would be disposed of at a licensed landfill. To the extent that any contaminants exist on the site, excavated material would be tested and properly transported and disposed.

During the HDD, the relatively small boreholes have the potential of disturbing remains in an archaeological sensitive area about 14 to 16 feet below existing grade. Because of the depth and the uncertainty about where the boreholes and the sensitive area would intersect, direct investigation and observation is not practicable. In consultation with NYCLPC and NYSHPO, an alternate plan to investigate the archaeologically sensitive areas identified in the Stage 1A study has been developed. While not a replacement for Phase 1B testing, the soil borings that have already been completed in the vicinity of former Barren Island contribute to our understanding of the buried ground surfaces in the area. In order to add to this knowledge of the subsurface conditions in the archaeologically sensitive portion of the project site, a monitoring program will be implemented in the event that excavation below the depth of fill becomes necessary during the course of the project. An Archaeological Monitoring Plan was prepared and submitted to NYCLPC and NYSHPO for review and comment in October 2011. In a comment letter dated November 3, 2011, NYCLPC concurred with the implementation of the monitoring plan in the event that excavation to the depth of archaeological sensitivity becomes necessary. NYSHPO is currently reviewing the Archaeological Monitoring Plan, and its recommendation would be incorporated and implemented.

Therefore, with the implementation of all appropriate best management and construction practices, in concurrence with NYSHPO and NYCLPC, and with the implementation of the Archaeological Monitoring Plan, if necessary, the proposed project would not have a significant adverse impact on the New York City Waterfront Revitalization Program, New York City Coastal Zone Management Program, or the State Coastal Management Program.

8. Construction

The proposed project would have construction effects that are short-term and temporary in nature. They would occur in the following areas: traffic, air quality, noise, tree protection and loss, and stormwater management. Installation of the pipelines in property

irrevocably assigned and conveyed to MTA B&T would be performed pursuant to a construction permit issued by MTA B&T, which would contain provisions for Maintenance and Protection of Traffic. As part of the permitting process with NYCDOT for work within the roadway rights-of-way and for HDD under the Belt Parkway, National Grid would prepare detailed Maintenance and Protection of Traffic plans for affected roadways in accordance with the Manual on Uniform Traffic Control Devices. Variable message signs would be used to warn drivers of upcoming lane closures and flaggers would be used to manage traffic. During the majority of the construction period, two travel lanes in each direction would be maintained. During certain periods, however, only one south bound lane would be available for traffic because Flatbush Avenue is not wide enough at certain locations accommodate both construction and two lanes of traffic in each direction. During those periods when only one south bound is open, construction would be done at night, when traffic is lightest. During Phase I, two south bound lanes would remain open during the HDD, but during the cut and cover construction only one south bound lane would be available. During Phase II, one south bound lane would be available south of the Belt Parkway to a point in the vicinity of the southernmost airplane hangar on Floyd Bennett Field. Entrances to businesses, open spaces, parks, and recreational facilities would be maintained at all times. Access to the Greenway along the west side of Flatbush Avenue, north of the Belt Parkway would also be maintained. New York City regulations to minimize air pollution, such as a three minute time limit on trucks idling, and watering of exposed soils to prevent fugitive dust, would be enforced. The City Noise Code would be followed to minimize any intrusive noise from the construction. Measures would be implemented to reduce the severity of these effects in all cases, and therefore, the proposed project would not result in significant adverse construction impacts.

9. Public Health and Safety

The project includes measures to address basic and common pipeline risks, including installation of a concrete protective barrier with caution demarcation to prevent damage by third party excavation; construction to a depth below actual and dredge depth of the seabed that eliminates the possibility of anchor damage by ships that use Rockaway Inlet; regular monitoring of moisture as well as annual cathodic protection system inspections, bi-monthly cathodic protection rectifier monitoring, and in-line inspections every seven years to detect and prevent corrosion; pressure testing up to two times the maximum allowable operating pressure to ensure materials and welds are defect free; development of incident and location specific operating procedures on how to manage different types of pipeline incidents; and surveys every five years as well as during severe weather events to monitor the condition of the cover.

Additional project elements that minimize risk to the general public include compliance with all applicable codes and regulations, emergency isolation valves that can be remotely activated quickly in case of rapid drop in pressure, locking covers and alarms on valve vaults, twenty-four hour a day operations monitoring from National Grid's control center, and weekly safety patrols to check for abnormal conditions, activities, or encroachments.

With the above-mentioned public health and safety procedures in place, the proposed pipelines do not present an undue hazard to persons or property along the proposed route, and no significant adverse impacts are expected.

10. No other significant effects upon the environment that would require the preparation of an Environmental Impact Statement are foreseeable.

11. This Negative Declaration was prepared in accordance with Article 8 of the New York State Environmental Conservation Law.

December 02, 2011

Robert R. Kulikowski, Ph.D. Date
Assistant to the Mayor
City of New York

CC: Honorable M. Markowitz – Brooklyn Borough President
Honorable H. Marshall – Queens Borough President
Honorable L. Fidler – New York City Council District 46
Honorable E. Ulrich – New York City Council District 32
Honorable C. Holloway, New York City Deputy Mayor for Operations
S. Neddle – Chair, Brooklyn Community Board 18
D. Turano – District Manager, Brooklyn Community Board 18
D. Orr – Chair, Queens Community Board 14
J. Gaska – District Manager, Queens Community Board 14
D. Mackey – NYSHPO
W. O'Brien – NYCMOEC
R. Dobruskin – NYCDCP
N. Rasheed – NYCDOT
J. Laird– NYCDPR
A. Sutphin – NYCLPC
A. Licata – NYCDEP
T. Estesen – NYCDEP
J. Stavrakas – National Grid
F. Murphy – National Grid
M. Terry – MTA B&T
G. Johnson – MTA